

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

THOMAS A. EAMES, ROBERTA L. EAMES)
and TAMMY EAMES, on behalf of)
themselves and all others)
similarly situated,)

Plaintiffs,)

C.A. No. 04-CV-1324KAJ

v.)

NATIONWIDE MUTUAL INSURANCE)
COMPANY,)

Defendant.)

**ORDER DEFERRING CONSIDERATION OF
NATIONWIDE'S MOTION TO DISMISS**

This ____ day of _____, 2005, the Court having considered the plaintiffs' motion to defer consideration of Nationwide's pending motion to dismiss, it is hereby ORDERED as follows:

1. Consideration of Nationwide's motion to dismiss shall be deferred pending disposition of the plaintiffs' Motion to Remand.
2. In the event the Motion to Remand is denied, plaintiffs shall serve and file their answering brief to Nationwide's motion within ten days of the Court's decision on the Motion to Remand.

United States District Judge